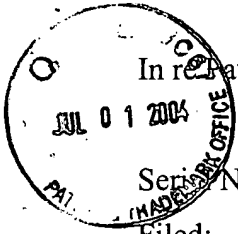


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of:

Slobodan NEDIC

Date: June 28, 2004

Serial No.: 09/586,441

Group Art Unit: 2631

Filed: June 2, 2000

Examiner: Kevin Michael Burd

For: MLSE DECODING OF PRS TYPE INTER-BIN INTERFERENCE
IN RECEIVER-END WINDOWED DMT SYSTEM

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JUL 09 2004

Technology Center 2600

DECLARATION UNDER 37 C.F.R. §1.132

Sir:

Slobodan NEDIC declares as follows:

1. I am the inventor on the above-identified patent application.
2. I am also the first named inventor on U.S. patent no. 6,563,841 B1, which was filed December 1, 1999 and issued May 13, 2003.
3. I understand that claims 1-20 and 28-43 in the instant application stand rejected on grounds of anticipation by my aforementioned U.S. patent no. 6,563,841 B1.
4. Of the aforementioned claims, claims 1, 11, 28 and 36 are independent, and their text is set forth below:

1. A receiver circuit for providing a decoded output from a received discrete multi-tone modulated input signal, the input signal being received from a communication channel having noise thereon, the input signal comprising digital data, the circuit comprising:

a first stage having a frequency response for applying a discrete Fourier transform to the input signal;

a second stage for receiving an output signal from said first stage and per-bin decoding said signal based on a maximum likelihood sequence estimation (MLSE) algorithm so as to recover said digital data; and

a time domain windowing stage for applying time domain windowing to said input signal prior to said first stage.

11. A receiver circuit for providing a decoded output from a received discrete multi-one modulated input signal, the input signal being received from a communication channel having noise thereon, the input signal comprising digital data, the circuit comprising:

a first stage having a frequency response for applying a discrete Fourier transform to the input signal;

a second stage for receiving an output signal from said first stage and per-bin decoding said signal based on a maximum likelihood sequence estimation algorithm so as to recover said digital data; and

a frequency domain windowing stage disposed between said first stage and said second stage.

28. A method in a receiver circuit for providing a decoded output from a received discrete multi-tone modulated input signal, the input signal being received from a communication channel having noise thereon, the input signal comprising digital data, the method comprising the steps of:

applying time domain windowing to said input signal; then

applying a discrete Fourier transform to the input signal; and then

per-bin decoding said signal based on a maximum likelihood sequence estimation (MLSE) algorithm so as to recover said digital data.

36. A method in a receiver circuit for providing a decoded output from a received discrete multi-tone modulated input signal, the input signal being received from a communication channel having noise thereon, the input signal comprising digital data, the method comprising the steps of:

applying a discrete Fourier transform to the input signal; then

applying frequency domain windowing to said signal; and then

per-bin decoding said signal based on a maximum likelihood sequence estimation (MLSE) algorithm so as to recover said digital data.

5. Respecting the rejection of those claims over my aforementioned, previously issued 6,563,841 patent, I state that to the extent that the Office Action and the rejection of the aforementioned claims depends on anything in the text of the aforementioned patent, the material relied upon as being disclosed but not claimed in my prior patent is my work and was derived from myself and is thus, not an invention "by another," as appears to be alleged in the Office Action of record.

6. In addition, I expressly do not concede and do not acquiesce with the assertion in the Office Action that the above patent claims are anticipated by the prior patent.

7. Without attempting to point out the substance of the differences, I merely note that each of the independent claims set forth above implicates a "discrete Fourier transform" which is known as a DFT. No discrete Fourier transform is mentioned in my prior patent. As such, I am informed by my legal counsel, a rejection on the basis of "anticipation" is incorrect as matter of law.

8. I declare that all statements made herein are made of my own knowledge and are true except for those statements made on information and belief, which are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this declaration of this application and any United States patent issuing therefrom.

June 28, 2004

Date

S Nedic

(Signature)

Slobodan NEDIC